

# Exhibit 19

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**From:** Julie Schumacher Ciardiello [JSchumacherCiardiello@mahercomm.com]  
**Sent:** Tuesday, December 06, 2005 11:14 AM  
**To:** Fran Strazzella (GWB); Pankaj Talwar (GWB); Len Heflich (GWB); Carl Wermers (GWB);  
Karen Kane (GWB); Joe Morrissey (GWB); Al Miller (GWB); Sachiko Shiohara (GWB)  
**Cc:** Paula McMartin; Ken Meeker; Aarti Arora; Jamie Klein; Jessica Elker; Julie Schumacher  
Ciardiello  
**Subject:** FW: FDA Limits Claims About Whole Grains  
**Importance:** High

FYI below. This article about the FDA limiting whole grains claims appeared in today's *Wall Street Journal*. As you may already be aware, the FDA has denied General Mill's petition to label cereal, bread and other products as "good source" or "excellent source" of whole grains until it further considers what the term "whole grain" should include (e.g., should it be considered a food nutrient like calcium, an ingredient or something else). Here is the link to the actual letter sent to General Mills from the USDA: <http://www.fda.gov/ohrms/dockets/dockets/04p0223/04p-0223-pdn0001-vol5.pdf>

The article confirms the 51% standard that GWB has been striving to meet across all of its whole grain products. It also says that products can still make statements, such as "10 grams of whole grains" and "100% whole grain oatmeal." We're assuming that saying, "made with whole grains," on packaging is still okay as well.

Related to this development and the January Whole Grains conference, we think it's now more important than ever for GWB to participate. The media is going to continue coverage about the topic, and it's important that GWB be seen as a leader in the industry. Please note that Sara Lee is mentioned in this article. We confirmed with Oldways that Sara Lee most likely received media exposure because they have been very vocal about *lowering* the whole grain standards. Sara Lee cites the challenges faced with bread products, such as the need to use more water, leaving less room for whole grains. Perhaps this is an opportunity for GWB to convey its intent to make all of its whole grain products meet the 51% standard (let us know if the status has changed on this). Let's discuss at your earliest convenience.

Please let us know if you have any questions.

Thanks,  
Julie

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-----Original Message-----

**From:** Rena Dubs  
**Sent:** Tuesday, December 06, 2005 9:59 AM  
**To:** Julie Schumacher Ciardiello  
**Subject:** FDA Limits Claims About Whole Grains

## Wall Street Journal

### FDA Limits Claims About Whole Grains As New Products for Health-Conscious Abound, Government Rejects Common Labeling Practice

By JANE ZHANG and JANET ADAMY  
 Staff Reporters of THE WALL STREET JOURNAL  
 December 6, 2005; Page D1

IN A SETBACK for food marketers aiming to capitalize on the growing appetite for whole-grain products, the Food and Drug Administration rejected General Mills Inc.'s plea for permission to label cereal, bread and other products as a "good source" or "excellent source" of whole grains.

Noting that the government's new dietary guidelines do say that consumers can benefit from increased consumption of whole grains, the FDA said it wants to further consider what the term "whole grain" should include.

Ever since the government released new dietary guidelines earlier this year recommending that Americans consume more grains, supermarket shelves have been filling up with products that are labeled as sources of whole grain. So far, 432 whole-grain products have been launched this year, more than four times as many as in 1998, according to Datamonitor. Sara Lee Corp., for instance, rolled out a white bread made with whole grain, called Sara Lee Soft & Smooth whole-grain white bread. ConAgra Foods Inc. introduced Ultragrains, a whole-grain flour designed to taste like white flour but retaining all of the grain kernel.

Minneapolis-based General Mills, the maker of Cheerios, Cinnamon Toast Crunch and other popular cereals, last year added whole grain to all its cereals and began labeling its boxes with the slogan: "All General Mills cereals are made with whole grain." Icons on the top of its cereal boxes, including sugary Trix, say whether the cereal is a good or excellent source of whole grain.

It's not clear whether General Mills and others will have to pull such words, and the FDA didn't order the company to do so. An FDA spokeswoman said yesterday that decisions will be made case by case. The FDA hasn't yet decided what "whole grains" includes or whether it should be considered a food category, ingredient, nutrient or something else, said Margaret Glavin, FDA associate commissioner for regulatory affairs. Companies that run afoul of FDA label rules are subject to warning letters and penalties including fines. A General Mills spokeswoman said the company doesn't have plans to change its packaging as a result of the FDA's decision. "We will continue to communicate to consumers on how to meet the recommendations for whole grain consumption in the best and most responsible way," she said.

The FDA, which regulates food labels to prevent false or misleading claims, said in a letter to General Mills that the words "good source" or "excellent source" can be used only to refer to established nutrients for which the agency has established recommended daily amounts -- such as calcium or vitamin A.

But the agency has permitted the food makers to declare on the label that eating whole grains can reduce the risk of heart disease and certain cancers, if the foods contain more than 51% of whole grain and the required amount of fiber. Food companies also can make statements, such as "10 grams of whole grains" and "100%

In a lengthy petition filed in May 2004 General Mills asked the FDA to define what it means for a product to be described as "made with" whole grain or an "excellent source" of whole grain or a "good source" of whole grain. It suggested that the FDA use the amount of fiber in a product to determine if it is, indeed, a good source of whole grain. The FDA, in its recent letter, refused.

The federal government's 2005 dietary guidelines suggested that Americans eat three or more ounce-equivalents of whole-grain products per day -- one slice of bread or one cup of cereal, for example. In general, at least half of the grains should come from whole grains. It doesn't help that consumers often confuse fiber content with whole grains, and sometimes even the color of food, says Fergus M. Clydesdale, member of the 2005 dietary guidelines committee and head of the food-science department at the University of Massachusetts at Amherst.

"We have to have some numbers which tell the consumer that this is an excellent source or good source of whole grains," says Prof. Clydesdale, who wrote a letter to support General Mills' petition. But with current labeling laws, it is "a virtual impossibility" for consumers to clearly identify foods that contain whole grains, he said.

General Mills suggested that "excellent source" of whole grain apply to foods that contain 16 grams or more of whole grain per serving, "good source" of whole grain apply to foods containing eight grams to 15 grams of whole grain per serving, and "made with" whole grain be used for those with at least eight grams of whole grain per serving. But some of its competitors, especially bread makers, have complained that the standard unfairly favors cereal makers and will shut the door for many whole-grain foods. "Wet" products like bread, which has more water, tend to have less room for whole grain.

General Mills has made whole grains a cornerstone of its campaign to promote its cereals as healthy amid mounting criticism that presweetened cereals are among the foods causing a nationwide obesity epidemic among children. The company filed the initial petition that led the FDA to approve a whole-grain health claim in 1999. This summer the company launched its largest children's advertising campaign in its history around a series of ads that stressed the importance of eating breakfast. General Mills pushed whole grains as a health benefit of cereal when it launched that campaign.

The food industry depends on new health trends like whole grains to drive sales. Food industry analysts have hoped that marketing around whole grains could lift sales of cereal and other grains. So far, it hasn't succeeded in reigniting General Mills' cereal sales. The company has posted sluggish cereal sales since it announced a price increase last year that drove customers to switch to cheaper store-brand cereal.

Other cereal competitors have followed General Mills' lead on promoting whole grains. Kraft Foods Inc. labels its Post Grape-Nuts Flakes as an "excellent source of whole grain" using a yellow grain icon on the front of its packages. Kellogg Co. labels Raisin Bran as "made with whole grain" in a small brown icon on the front of its packaging.